



RE: Thursday 7:37 am

A. SMITH

to:

Marcia Bailey

04/08/2012 02:14 PM

Hide Details

From: "A. SMITH" <Privacy FOIA (b) (6)>

To: Marcia Bailey/R10/USEPA/US@EPA

I followed up very soon after sending that, with no prompt from you as I recall but just out of a nervousness that you may actually not see that it was sent tongue in cheek, with a strong note saying that "of course you realize that I was totally KIDDING on the image of me cleaning up 'sludge' from my driveway thrown there from next door!"

I still sense there to be something 'weird' going on .. some purposeful disingenuousness or other -- the Van Waters (Van Rogers?) matter, for instance, was never resolved but, rather, deftly stepped around. I believe that the inquiries to them on that they directed Landau to answer .. my take was that then they, the attorneys, were not on record as answering them falsely, although, MY sense, was that we were led astray.

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To: Privacy FOIA (b) (6)

Subject: Re: FW: Thursday 7:37 am

From: Bailey.Marcia@epamail.epa.gov

Date: Sun, 8 Apr 2012 11:03:50 -0700

Was your response of Oct 20, 2011 (below) factual or facetious? As I recall, I took it seriously but then was under the impression that it was not meant as a factual statement. I will follow up with Kira after I get your response to this.

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From: "A. SMITH" <Privacy FOIA (b) (6)>

To: Marcia Bailey/R10/USEPA/US@EPA

Date: 04/07/2012 02:51 AM

Subject: FW: Thursday 7:37 am

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Hi Marcia -

This -- the point made below by Kira .. never really was resolved. Still seems so odd .. all of the HEAVY concentration of pollutants at that one spot in the driveway ..

Just wondering ..

A~

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From: Privacy FOIA (b) (6)

To: bailey.marcia@epamail.epa.gov

Subject: RE: Thursday 7:37 am

Date: Thu, 20 Oct 2011 17:05:02 -0700

this reminds me of the fact that, for the several months prior to our taking possession of the place in 1994, I saw them on several occasions dumping large barrels full of sludgy water off of the bakery roof and onto the driveway. It wasn't our place yet and no one lived here so I didn't feel it was my business to ask them about it -- figured they had worked something out with the previous owners. When we DID end up taking the place, I cleaned up a LOT of 'mud' from the driveway and, unfortunately, used a lot of it in my tomatoe and lettuce gardens that I maintained here for years.

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To: Privacy FOIA (b)

Subject: Thursday 7:37 am

From: Bailey.Marcia@epamail.epa.gov

Date: Thu, 20 Oct 2011 07:59:59 -0700

Kira is interested in what is going on. She says shallow high concentrations in the soil is not supported by a site conceptual model that assumes transport is via vapor (or groundwater), so how did it get there?

I hope they get you the report soon.

## Piper Roelen

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**From:** DeYoung, Mindy L. [mdeyoung@Riddellwilliams.com]  
**Sent:** Monday, April 02, 2012 9:41 AM  
**To:** Anderson, Jennifer  
**Cc:** Piper Roelen; Dunn, Loren; Kuntz, Michael G. (ECY) (mkun461@ECY.WA.GOV)  
**Subject:** RE: 7009 Greenwood Ave. N. Site Characterization Report

Thanks for your email, Jennifer.

Our plan is still to submit the Cleanup Action Plan later this week, and that should hopefully address questions the City might have. Feel free to contact me if anything comes up in the meantime.

Thanks again, and take care,

Mindy

MINDY DEYOUNG | RIDDELL WILLIAMS P.S.  
1001 FOURTH AVENUE, SUITE 4500 | SEATTLE, WA 98154-1192  
206.389.1684 | FAX 206.389.1708 | MDEYOUNG@RIDDELLWILLIAMS.COM

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**From:** Anderson, Jennifer [mailto:Jennifer.Anderson@seattle.gov]  
**Sent:** Monday, April 02, 2012 9:33 AM  
**To:** DeYoung, Mindy L.  
**Cc:** 'proelen@landauinc.com'; Dunn, Loren  
**Subject:** RE: 7009 Greenwood Ave. N. Site Characterization Report

Hi Mindy,

Thank you for forwarding the characterization report and I look forward to receiving the Cleanup Action plan later this week. I quickly reviewed the data and it doesn't appear as if the solvent release has impacted the right of way significantly, however we will still be interested in taking a look at the Cleanup plan and how it will address off property contamination. For example, without knowing the planned cleanup activities in detail we will require that any planned excavations in the right of way be permitted through our street use department and we are also interested whether cleanup actions are designed to cleanup the site or if you are requesting a no further action letter from Ecology.

Looking forward to receiving the report later this week.

Thanks and have a great day,

Jennifer



JENNIFER ANDERSON  
*Sr. Environmental Analyst*  
Seattle Department of Transportation  
Capital Projects & Roadway Structures Division  
700 Fifth Avenue, Suite 3900  
PO Box 34996  
Seattle, WA 98124-4996

206-684-3751 (Tel)  
206-615-1237 (Fax)

ISA Certified Arborist #0313A/Certified Tree Risk Assessor #288



FW: Heavens Supply Site - Cleanup Action Plan

A. SMITH

to:

Marcia Bailey

04/08/2012 02:28 PM

Cc:

Kira Lynch

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From: "A. SMITH" [Privacy FOIA (b) (6)] >

To: Marcia Bailey/R10/USEPA/US@EPA

Cc: Kira Lynch/R10/USEPA/US@EPA

2 Attachments



4-6-12 Letter to David Bricklin.pdf Final CAP\_rpt\_04-06-12.pdf

Marcia and Kira -- I had THOUGHT that I had mailed this to you ..(oops!) .. here's the big final plan ..

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From: bricklin@bnd-law.com

To: [Privacy FOIA (b) (6)]

Subject: Fw: Heavens Supply Site - Cleanup Action Plan

Date: Fri, 6 Apr 2012 23:27:57 +0000

Dave Bricklin

Sent from my handheld



Cell number: 206 226 1745

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**From:** DeYoung, Mindy L. [mailto:mdeyoung@Riddellwilliams.com]  
**Sent:** Friday, April 06, 2012 04:26 PM  
**To:** Dave Bricklin  
**Cc:** 'proelen@landauinc.com' <proelen@landauinc.com>; Kuntz, Michael G. (ECY) (mkun461@ECY.WA.GOV) <mkun461@ECY.WA.GOV>; Dunn, Loren <ldunn@Riddellwilliams.com>  
**Subject:** Heavens Supply Site - Cleanup Action Plan

Hi Dave,

Please refer to the letter and Cleanup Action Plan attached to this email. We mailed this same letter to your office address today.

We submitted the electronic version of the Cleanup Action Plan to Ecology today, and receipt by Ecology of the mailed hard copy of the CAP (which we expect to occur on Monday, 4/9), will trigger the 14 calendar day comment period. Any comments on the CAP are to be directed to Michael Kuntz, Department of Ecology, 300 Desmond Dr. SE, P.O. Box 47600, Olympia, WA 98504-7600, and/or [mkun461@ecy.wa.gov](mailto:mkun461@ecy.wa.gov).

Thank you, and have a great weekend,

Mindy

**MINDY DEYOUNG | RIDDELL WILLIAMS P.S.**

1001 FOURTH AVENUE, SUITE 4500 | SEATTLE, WA 98154-1192

206.389.1684 | FAX 206.389.1708 | [MDEYOUNG@RIDDELLWILLIAMS.COM](mailto:MDEYOUNG@RIDDELLWILLIAMS.COM)

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